

RESOLUTION NO. 2019-

1
2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4 ACCEPTING A ROAD EASEMENT ON, OVER, ACROSS, AND
5 THROUGH A PORTION OF REAL PROPERTY OWNED BY
6 BR ARCHCO FLAGLER VILLAGE, LLC, AND LOCATED IN
7 FORT LAUDERDALE, BROWARD COUNTY, FLORIDA; AND
8 PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

9 WHEREAS, BR ArchCo Flagler Village, LLC, a Delaware Limited Liability
10 Company, is the owner of certain real property located in Fort Lauderdale, Broward
11 County, Florida ("Property"), which Property is more particularly described in the sketch
12 and legal description made subject to the Road Easement, which is attached hereto and
13 made a part hereof as Exhibit 1 ("Road Easement");

14 WHEREAS, BR ArchCo Flagler Village, LLC, is willing to grant the Road Easement
15 to Broward County, Florida ("County"), in accordance with the terms of the attached
16 Road Easement; and

17 WHEREAS, the Board of County Commissioners of Broward County, Florida
18 ("Board"), has determined that acceptance of the Road Easement serves a public
19 purpose and is in the best interest of the County, NOW, THEREFORE,

20
21 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
22 BROWARD COUNTY, FLORIDA:

23 Section 1. The recitals set forth in the preamble to this Resolution are true,
24 accurate, and incorporated by reference herein as though set forth in full hereunder.

Section 2. The Board hereby accepts the Road Easement attached as
Exhibit 1.

1 Section 3. The Road Easement shall be properly recorded in the
2 Public Records of Broward County, Florida.

3 Section 4. Severability.

4 If any portion of this Resolution is determined by any court to be invalid, the invalid
5 portion will be stricken, and such striking will not affect the validity of the remainder of this
6 Resolution. If any court determines that this Resolution, in whole or in part, cannot be
7 legally applied to any individual, group, entity, property, or circumstance, such
8 determination will not affect the applicability of this Resolution to any other individual,
9 group, entity, property, or circumstance.

10 Section 5. Effective Date.

11 This Resolution is effective upon adoption.

12
13 ADOPTED this day of , 2019.

14
15 Approved as to form and legal sufficiency:
16 Andrew J. Meyers, County Attorney

17 By /s/ Claudia Capdesuner 02/07/19
18 Claudia Capdesuner (date)
19 Assistant County Attorney

20 By /s/ Annika E. Ashton 02/07/19
21 Annika E. Ashton (date)
22 Senior Assistant County Attorney

23 CC/mdw
24 02/07/19
Road Easement from BR ArchCo Flagler Village, LLC
#409299v.1

Return to:
Frank J. Guiliano, PSM
Highway Construction and
Engineering Division
1 N. University Drive, Suite 300
Plantation, FL 33324-2038

Exhibit 1

This Instrument prepared by:
Andrew J. Schein, Esq.
1401 East Broward Boulevard, Suite 303
Fort Lauderdale, FL 33301

ROAD EASEMENT (Corporate)

THIS INDENTURE, made this 14th day of March, A.D., 2018, by BR ArchCo Flagler Village, LLC, a Delaware limited liability company and having its principal place of business at 712 Fifth Avenue, 9th Floor, New York, NY 10019, first party, to BROWARD COUNTY, a political subdivision of the State of FLORIDA, whose Post Office address is Broward County Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, second party:

(Wherever used herein the terms, "first party" and "second party" shall include singular and plural, heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations wherever the context so admits or requires).

WITNESSETH

WHEREAS, the first party is the owner of a property situated, lying and being in Broward County, Florida, and described as follows:

See Exhibit "A" with accompanying sketch of description attached hereto and made a part hereof.

and,

WHEREAS, the second party desires an easement for public roadway and/or other appropriate purposes incidental thereto, on, over and across said property,

and,

WHEREAS, the first party is willing to grant such an easement,

NOW THEREFORE, for and in consideration of the mutual covenants each to the other running and one dollar (\$1.00) and other good and valuable considerations, the first party does hereby grant unto the second party, its successors and assigns, full and free right and authority to construct, maintain, repair, install and rebuild facilities for the above stated purposes and does hereby grant a perpetual easement on, over and across the above-described property for said purposes.

ACKNOWLEDGEMENT

IN WITNESS WHEREOF, the first party has caused these presents to be duly executed in its name and its corporate seal to be hereto affixed, attested by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in the presence of:

BR ArchCo Flagler Village, LLC, a Delaware limited liability company

Teresa Chambers

By: Neil T. Brown
Neil T. Brown, Authorized Signatory

Witness (Signature)

Teresa Chambers

Print Name

Michael A. DiBlasi

Witness (Signature)

Michael A. DiBlasi

Print Name

(CORPORATE SEAL)

STATE OF Georgia
COUNTY OF Fulton

The foregoing instrument was acknowledged before me this 14th day of March, 2018, by Neil T. Brown as Authorized Signatory of BR ArchCo Flagler Village, LLC, a Delaware limited liability company, on behalf of the limited liability company. He is personally known to me or has produced as identification and did/did not take an oath.



Anne V. Stanford
(Signature of person taking acknowledgment)
Anne V. Stanford
(Name of officer taking acknowledgment)
typed, printed or stamped

(Title or rank)

(Serial number, if any)

My commission expires:
Revised 10-18-95 5/7/18

EXHIBIT "A"
(See attached SKETCH and LEGAL DESCRIPTION)



STONER & ASSOCIATES, INC.

SURVEYORS - MAPPERS
Florida Licensed Surveying
and Mapping Business No. 6633

4341 S.W. 62nd Avenue
Davie, Florida 33314

Tel. (954) 585-0997
Fax (954) 585-3927

LEGAL DESCRIPTION

FORT LAUDERDALE, BROWARD COUNTY, FLORIDA
SECTION 3, TOWNSHIP 50 SOUTH, RANGE 42 EAST

EXHIBIT "A"

A PARCEL OF LAND BEING PORTIONS OF LOTS 27 THROUGH 52, INCLUSIVE, OF BLOCK 6, AMENDED PLAT OF BLOCKS 1, 2, 3, 4, 5, 6, 7, 8, 25, 26, 27, 28, 29, 30, 31, 32 AND 33 NORTH LAUDERDALE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 182, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID PLAT NOW SITUATE, LYING, AND BEING IN BROWARD COUNTY, FLORIDA. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID BLOCK 6;

THENCE N.87°53'32"E., ALONG THE NORTH LINE OF SAID BLOCK 6, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING AND TO A POINT ON A LINE 15.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID BLOCK 6; SAID POINT BEING ON THE EXISTING EAST RIGHT OF WAY LINE OF NORTH ANDREWS AVENUE, AS SHOWN IN VESTED ROADWAY MAP FOR ANDREWS AVENUE, SHEET 3 OF 3, PREPARED BY THE CITY OF FORT LAUDERDALE ENGINEERING DEPARTMENT, RECORDED IN MISCELLANEOUS MAP BOOK 3, PAGE 45 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

THENCE CONTINUE N.87°53'32"E., ALONG SAID NORTH LINE OF BLOCK 6 AND ALSO ALONG THE EXISTING SOUTH RIGHT OF WAY LINE OF N.E. 6th STREET (SISTRUNK BOULEVARD), A DISTANCE OF 54.00 FEET;

THENCE S.42°53'52"W., A DISTANCE OF 63.64 FEET TO A POINT ON A LINE 9.00 FEET EAST OF AND PARALLEL WITH SAID EXISTING EAST RIGHT OF WAY LINE;

THENCE S.02°05'55"E., ALONG SAID PARALLEL LINE, A DISTANCE OF 580.04 FEET;

THENCE S.47°05'37"E., A DISTANCE OF 35.36 FEET TO A POINT ON THE SOUTH LINE OF SAID BLOCK 6, SAID SOUTH LINE BEING ALSO THE NORTH RIGHT OF WAY LINE OF N.E. 5th STREET;

THENCE S.87°54'44"W., ALONG SAID SOUTH LINE AND NORTH RIGHT OF WAY LINE, A DISTANCE OF 34.00 FEET TO A POINT ON SAID EXISTING EAST RIGHT OF WAY LINE;

THENCE N.02°05'55"W., ALONG SAID EXISTING EAST RIGHT OF WAY LINE, A DISTANCE OF 650.04 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE AND BEING WITHIN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, CONTAINING 7,176 SQUARE FEET, MORE OR LESS.

NOTES:

1. THE PROPERTY SHOWN HEREON WAS NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF RECORD.
2. THIS SKETCH AND DESCRIPTION IS "NOT VALID" WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF FLORIDA LICENSED SURVEYOR AN MAPPER.
3. THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY. (THIS IS NOT A SURVEY).
4. THE LEGAL DESCRIPTION SHOWN HEREON WAS AUTHORED BY STONER & ASSOCIATES, INC. WITHOUT THE BENEFIT OF A TITLE SEARCH.
5. THE BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF S.02°08'12"E., ALONG THE EAST LINE OF BLOCK 6, AMENDED PLAT OF NORTH LAUDERDALE, RECORDED IN PLAT BOOK 1, PAGE 182, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.
6. SEE SHEET 2 OF 2 FOR A GRAPHIC DEPICTION (SKETCH) OF THE PARCEL DESCRIBED HEREON.

CERTIFICATE:

THIS IS TO CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR SURVEYING ESTABLISHED BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

REVISIONS	DATE	BY
1	04/06/18	WDLR
EDIT HEADER, ADD EXH."A"		

DATE OF SIGNATURE: 4/6/18
WALTER DE LA ROCHA
 PROFESSIONAL SURVEYOR AND MAPPER NO. 6081 - STATE OF FLORIDA

THE MATERIAL SHOWN HEREON IS THE PROPERTY OF STONER & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PERMISSION OF STONER & ASSOCIATES, INC. COPYRIGHT © 2018

DATE OF SKETCH:	DRAWN BY	CHECKED BY	FIELD BOOK
08/28/17	WDLR	JDS	N/A

SEAL
 NOT VALID UNLESS
 SEALED HERE WITH
 AN EMBOSSED
 SURVEYOR'S SEAL

SHEET 1 OF 2

SKETCH NO. 16-8477-RW1

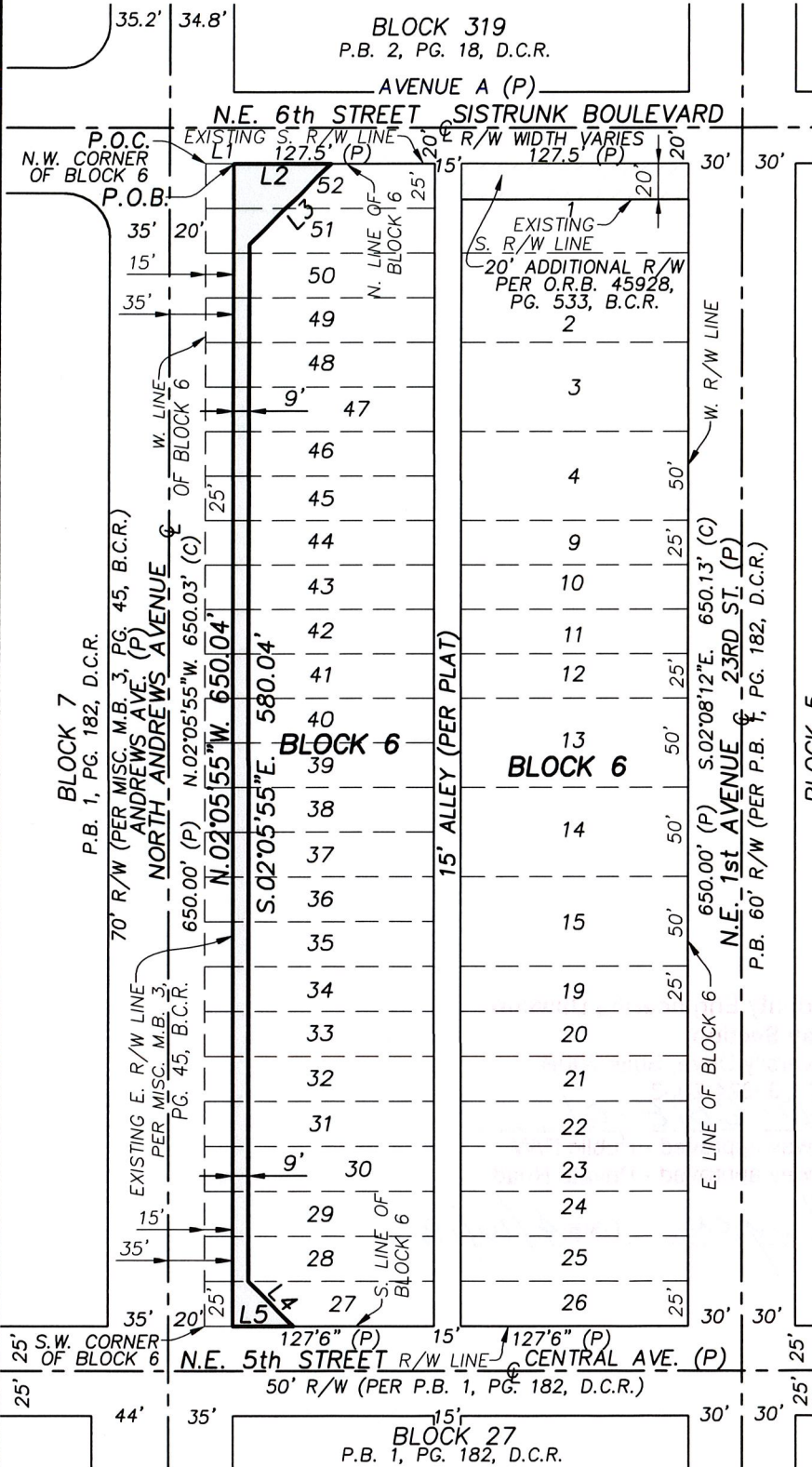


4341 S.W. 62nd AVE.
Davie, Florida 33314

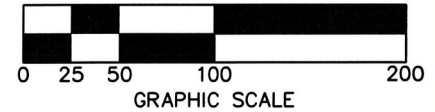
Tel. (954) 585-0997
Fax (954) 585-3927

SKETCH OF DESCRIPTION

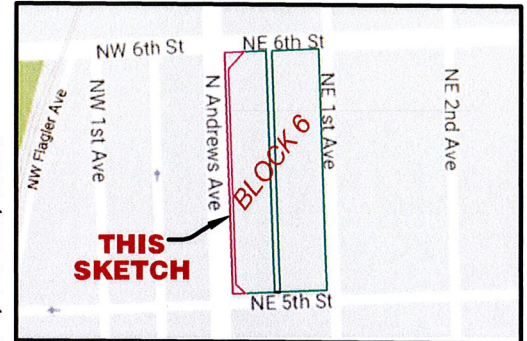
FORT LAUDERDALE, BROWARD COUNTY, FLORIDA
SECTION 3, TOWNSHIP 50 SOUTH, RANGE 42 EAST



SCALE: 1" = 100'



NOTE:
SEE SHEET 1 OF 2 FOR
THE LEGAL DESCRIPTION OF THE
SKETCH GRAPHICALLY SHOWN HEREON.



LOCATION MAP
NOT TO SCALE

LINE TABLE (C)

LINE	BEARING	DISTANCE
L1	N.87°53'32"E.	15.00'
L2	N.87°53'32"E.	54.00'
L3	S.42°53'52"W.	63.64'
L4	S.47°05'37"E.	35.36'
L5	S.87°54'44"W.	34.00'

LEGEND:

- B.C.R. BROWARD COUNTY RECORDS
- (C) DATA BASED ON CALCULATIONS
- ⊙ CENTERLINE
- L1 LINE 1 (SEE LINE TABLE)
- LB LICENSED BUSINESS
- D.C.R. DADE COUNTY RECORDS
- M.B. MAP BOOK
- MISC. MISCELLANEOUS
- O.R.B. OFFICIAL RECORDS BOOK
- (P) DATA BASED ON THE PLAT OF RECORD
- P.B. PLAT BOOK
- PG. PAGE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- R/W RIGHT OF WAY
- SQ.FT. SQUARE FEET